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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,)	No. CR 12-549 RS
)	
11 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER FOR CONTINUANCE OF
12 v.)	STATUS CONFERENCE
)	AND EXCLUSION OF TIME
13 MAURIEL BANEGA,)	
)	Date: August 21, 2012
14 Defendant.)	Time: 2:30 p.m.
)	Court: The Honorable Richard Seeborg

16 The parties hereby stipulate and agree as follows:

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- 18 1. This matter was set for a status conference on August 7, 2012 at 2:30 p.m.;
- 19 2. Defense counsel needs more time to continue their investigation into the length
- 20 and type of sentences for Mr. Banega's prior convictions;
- 21 3. Counsel for the government has been contacted and has no objection to the
- 22 continuation;
- 23 4. The defense thus requests that the status conference be
- 24 continued, and that a change of plea hearing be set for August 21, 2012 at
- 25 2:30 p.m.
- 26 5. Further, and in light of the foregoing, the parties stipulate and jointly request that

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time be excluded from the Speedy Trial Act calculations from Tuesday, August 7, 2012 through Tuesday, August 21, 2012 on the basis of effective assistance of counsel. The parties agree that the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(iv)..

IT IS SO STIPULATED.

Dated: August 6, 2012

_____/s/_____
ELIZABETH M. FALK
ASSISTANT FEDERAL PUBLIC DEFENDER

Dated: August 6, 2012

_____/s/_____
MARK KANG
ASSISTANT UNITED STATES ATTORNEY

1 **[PROPOSED] ORDER**

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3 For the reasons set forth above, the hearing in the aforementioned matter is hereby

4 CONTINUED from August 7, 2012 to August 21, 2012 at 2:30 p.m.

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6 In addition, for the reasons stated above, the Court finds that an exclusion of time from

7 Tuesday, August 7, 2012 through Tuesday, August 21, 2012 is warranted and that the ends of

8 justice served by the continuance outweigh the best interests of the public and the defendant in a

9 speedy trial. *See* 18 U.S.C. §3161 (h)(7)(A).

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11 **IT IS SO ORDERED.**

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13 DATED: 8/7/12

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15 THE HONORABLE RICHARD SEEBORG

16 UNITED STATES DISTRICT JUDGE

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